

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

DAVID ROUAH, individually and on behalf of all
others similarly situated

Case No.: 1:21-cv-3793

Plaintiff,

vs.

AFNI, INC.

Defendant.

DEFENDANT AFNI, INC.'S NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that Defendant Afni, Inc. ("Defendant"), by and through its attorneys, hereby moves, pursuant to Federal Rule of Civil Procedure Rule 12(b)(6), for an Order granting Defendant's Motion to Dismiss. In support of this Motion, Defendant relies on the Brief filed simultaneously herewith.

DATED: September 23, 2021

LIPPES MATHIAS WEXLER FRIEDMAN LLP

/s/ Brendan H. Little

Brendan H. Little, Esq.

Attorneys for Defendant

50 Fountain Plaza, Suite 1700

Buffalo, NY 14202

P: 716-853-5100

F: 716-853-5199

E: blittle@lippes.com